

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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|---------------------------|---|---------------------------------|
| _____ |) | |
| GENERAL ELECTRIC COMPANY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 08-591-TSE/JFA |
| |) | |
| ADRIANA KOECK, |) | |
| |) | |
| Defendant. |) | |
| _____ |) | |

DEFENDANT'S MOTION TO STAY

Defendant Adriana Koeck ("Ms. Koeck") moves the Court to stay this matter for 30 days.

Defendant states the following grounds for this motion.

PROCEDURAL HISTORY

1. On June 6, 2008, General Electric Company ("GE") filed a complaint against Ms. Koeck, its former employee and in-house lawyer, for her improper retention and disclosure of GE's privileged and confidential information in violation of her contractual, fiduciary, and ethical obligations.

2. On July 3, 2008, Magistrate Judge John F. Anderson entered an Order instituting a process whereby GE could request that the Court seal documents containing information warranting such protection. On July 25, 2008, GE filed a Motion to Seal Portions of Ms. Koeck's Answer and Counterclaim.

3. On July 15, 2008, GE filed a Motion for Temporary Restraining Order. On July 25, 2008, District Judge T.S. Ellis, III heard argument on GE's Motion and issued an Order

instructing the Parties to file a stipulation restricting Ms. Koeck's use and disclosure of GE's information.

4. Also on July 25, 2008, the Parties filed a Stipulation that Ms. Koeck and her Counsel should not disclose any privilege, confidential, or proprietary information of GE to any nongovernmental third party; that she should disclose such information to any administrative or governmental agency only when required by compulsory process; and that she could use this information when responding to the complaint against her and in the course of prosecuting or defending herself in this lawsuit.

6. On July 29, 2008, GE and Ms. Koeck filed a Joint Motion to Suspend Sealing Procedures. In response, Judge Anderson issued an Order granting the Joint Motion to Suspend Sealing Procedures and instructing the Parties to issue a joint report by August 1, 2008, identifying the docket entries before July 3, 2008, that they agreed could be unsealed. Judge Anderson also scheduled a status conference for September 19, 2008 to allow Counsel to report on the status of mediation proceedings.

7. Also on July 29, 2008, Judge Ellis issued an Order directing the Parties to report to Judge Anderson regarding the status of their mediation at the September 19, 2008 status conference. Judge Ellis' Order placed this matter among the inactive cases pending completion of mediation by the Parties or further Order of the Court.

7. On August 8, 2008, Ms. Koeck terminated her relationship with the Bernabei Law Firm and hired Sanford Wittels & Heisler, LLP and the Law Offices of Grant Morris to represent her.

8. On August 13, 2008, the Parties agreed to engage in mediation in New York on September 23, 2008, as part of mediation in a larger class action gender discrimination lawsuit

against GE. Through mediation, the Parties intend to resolve all claims by and against Ms. Koeck relating to her employment with GE.

Given that mediation in this matter is scheduled to begin on September 23, 2008, the Parties will not have resolved their claims by the September 19, 2008, status conference. WHEREFORE, Defendant prays that the Court stay this matter for 30 days beyond September 19, 2008 and reschedule the status conference for October 3, 2008, at which time Defendant will inform the Court of the outcome of mediation.

Respectfully submitted this 28th day of August, 2008,

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was served on counsel for Plaintiff
by electronic filing on August 28, 2008, to:

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